

Notice of Allowability

Application No.

09/745,374

Examiner

Kambiz Abdi

Applicant(s)

TENORIO, MANOEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to March 21, 2007.
2. ☒ The allowed claim(s) is/are 1-2, 4-18, and 20-34 (Renumbered 1-32).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

1. This action is in response filed on March 21, 2007.

- Claims 1, 17, and 33-34 are amended.
- Claims 3 and 19 are canceled.
- Claims 1-2, 4-18, 20-34 are allowed.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in an interview with attorney Steven J. Laureanti conducted in person on May 25, 2007.

4. The examiner under agreement by the attorney representing the applicant has amended independent claims 1, 17, 33-34.

The claims in the application has been amended as follow:

1. **(Currently Amended)** A method for migrating product data within an electronic commerce system, comprising:

monitoring requests for product data by users of a global content directory, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generating a request history for each of the users based on a prediction from the request history, that the user may request the product data again, the request history comprises the number of requests by each of the users that result in the user accessing a particular seller database;

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identifying the location of a particular user;

determining, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database; database, the determination is based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

if it is determined that the product data should be migrated, initiating the migration of some or all of the product data requested by the particular user from the seller database to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database.

2. **(Original)** The method of Claim 1, wherein a request for product data by a user comprises a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user.

3. **(Canceled)**

4. **(Previously Presented)** The method of Claim 1, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with a particular product.

5. **(Previously Presented)** The method of Claim 1, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with each of a plurality of products included in a product class.

6. **(Previously Presented)** The method of Claim 1, further comprising:
determining that the product data should no longer be stored at the storage location determined for the particular user; and

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allowing the product data to be deleted or overwritten with other product data at the storage location determined for the particular user.

7. **(Previously Presented)** The method of Claim 6, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the particular user has not requested the product data for a specified period of time.

8. **(Previously Presented)** The method of Claim 6, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the storage location determined for the particular user is needed for migration and storage of product data for a second user.

9. **(Previously Presented)** The method of Claim 1, wherein the migrated product data is stored for access by each of a subset of the users and the method comprises:

identifying the location of each of the users in the subset of users; and

determining the storage location for the product data based on the identified locations of each of the subset of users.

10. **(Original)** The method of Claim 9, wherein the location of each of the subset of users is weighted in the determination of the storage location based on the relative frequency with which each of the subset of users requests the product data.

11. **(Original)** The method of Claim 1, wherein determining that product data should be migrated comprises determining that product data from a plurality of seller databases should be migrated to the same storage location.

12. **(Original)** The method of Claim 11, further comprising merging the data from the plurality of seller databases into a single database at the storage location.

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13. **(Previously Presented)** The method of Claim 1, wherein the product data is migrated to a computer associated with the particular user of the global content directory.

14. **(Original)** The method of Claim 13, wherein the product data is stored inside a firewall of the computer.

15. **(Previously Presented)** The method of Claim 1, wherein initiating the migration of the product data comprises instructing the seller database to copy the product data for caching at the storage location determined for the particular user.

16. **(Previously Presented)** The method of Claim 15, further comprising instructing the seller database to create a pointer to the storage location determined for the particular user and to update the migrated product data using the pointer when the product data is updated in the seller database.

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17. **(Currently Amended)** Software for migrating product data within an electronic commerce system, the software embodied in a computer-readable medium and operable to:

monitor requests for product data by users of a global content directory, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generate a request history for each of the users based on the monitoring of the requests for product data by the users;

identify the location of a particular user;

determine, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database; database, the determination is based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

if it is determined that the product data should be migrated, initiate the migration of some or all of the product data requested by the particular user from the seller database to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database.

18. **(Original)** The software of Claim 17, wherein a request for product data by a user comprises a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user.

19. **(Canceled)**

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20. **(Previously Presented)** The software of Claim 17, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with a particular product.

21. **(Previously Presented)** The software of Claim 17, wherein the product data that is migrated to the storage location determined for the particular user comprises product data associated with each of a plurality of products included in a product class.

22. **(Previously Presented)** The software of Claim 17, further operable to:
determine that the product data should no longer be stored at the storage location determined for the particular user; and
allowing the product data to be deleted or overwritten with other product data at the storage location determined for the particular user.

23. **(Previously Presented)** The software of Claim 22, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the particular user has not requested the associated product for a selected period of time.

24. **(Previously Presented)** The software of Claim 22, wherein determining that the product data should no longer be stored at the storage location determined for the particular user comprises determining that the storage location determined for the particular user is needed for migration and storage of product data for a second user.

25. **(Previously Presented)** The software of Claim 17, wherein the migrated product data is stored for access by each of a subset of the users and the software is operable to:
identify the location of each of the users in the subset of users; and
determine the storage location for the product data based on the identified locations of each of the subset of users.

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26. **(Original)** The software of Claim 25, wherein the location of each of the subset of users is weighted in the determination of the storage location based on the relative frequency with which each of the subset of users requests the product data.

27. **(Original)** The software of Claim 17, wherein determining that product data should be migrated comprises determining that product data from a plurality of seller databases should be migrated to the same storage location.

28. **(Original)** The software of Claim 27, further operable to merge the data from the plurality of seller databases into a single database at the storage location.

29. **(Previously Presented)** The software of Claim 17, wherein the product data is migrated to a computer associated with the particular user of the global content directory.

30. **(Original)** The software of Claim 29, wherein the product data is stored inside a firewall of the computer.

31. **(Previously Presented)** The software of Claim 17, wherein initiating the migration of the product data comprises instructing the seller database to copy the product data for caching at the storage location determined for the particular user.

32. **(Previously Presented)** The software of Claim 31, further operable to instruct the seller database to create a pointer to the storage location determined for the particular user and to update the migrated product data using the pointer when the product data is updated in the seller database.

33. **(Currently Amended)** A method for migrating product data in an electronic commerce system, comprising:

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monitoring requests for product data by users of a global content directory, the requests each comprising a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generating a request history for each of the users based on the monitoring of the requests for product data by the users;

identifying the location of a particular user;

determining, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

if it is determined that the product data should be migrated, instructing the seller database to:

copy some or all of the product data requested by the particular user for caching at the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

create a pointer to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

update the migrated product data using the pointer when the product data is updated in the seller database.

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34. **(Currently Amended)** Software for migrating product data within an electronic commerce system, the software embodied in a computer-readable medium and operable to:

monitor requests for product data by users of a global content directory, the requests each comprising a selection of a product from search results obtained from one or more seller databases by the global content directory and communicated to the user, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class; and

one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class;

generate a request history for each of the users based on the monitoring of the requests for product data by the users;

identify the location of a particular user;

determine, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

if it is determined that the product data should be migrated, instruct the seller database to:

copy some or all of the product data requested by the particular user for caching at the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

create a pointer to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database;

update the migrated product data using the pointer when the product data is updated in the seller database.

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Allowable Subject Matter

5. Claims 1-2, 4-18, and 20-43 are allowed over the prior art of record.

The following is an examiner's statement of reason for allowance:

6. The closest prior art of record are;

7. U.S Patent No. 6094680 to Tuklar ErIk Hokanson discloses a database server is configured to manage the content within the storage hierarchy according to a cost/availability criterion. In this manner, content is optimally organized at various hierarchical levels within the storage hierarchy, which facilitates acceptable availability to users, while constraining costs for keeping and supplying the content.

8. U.S Patent No. 6038668 to Richard R. Chipman et al. discloses a computer-based information organizing, searching, retrieving, and exchanging platform. Through gathering organized information, a consumer accesses the gathered information to create an end product in a shorter period of time. The present invention uses a predefined common language and format (for example, hypertext markup language (HTML) extended to implement an underlying organizational structure) for organizing information placed on the network of computers. When retrieved the organized information is readily sorted and cataloged into a repository of similar cataloged information.

9. U.S Patent No. 6081840 to Yan Zhao discloses a system and method for efficiently distributing well-composed data to remotely located, computer system end users. The system includes a source server at which all the data available to the end user is stored. The source server includes a data loader, a data content manager, data search and retrieval components, and an interface to allow data to be loaded into the server's repository and for monitoring and control of its functions by a system administrator. Such loading of the data separates the distribution system from the data creation system. This enables the distribution system of this invention to be operated at maximum performance.

10. In regards to independent claims 1, 17 and 33-34, the closest prior arts of record when taken either individually or in combination with other prior arts of record fails to teach or fairly suggest the that the determination of location data in a data based is based on request history (Historical data requests) of

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the particular user and the size of the organization associated with that user and migration of data to database closest (physical location) to that of the user. Such determination is based on at least a combination of request history, size of the organization affiliated with the user, the number of request within a specific period of time as it can be seen below;

“generating a request history for each of the users based on a prediction from the request history, the request history comprises the number of requests by each of the users that result in the user accessing a particular seller database;

identifying the location of a particular user;

determining, based at least in part on the request history for the particular user and a relative size of an organization associated with the particular user, whether some or all of the product data requested by the particular user should be migrated from a seller database to a storage location that is located closer to the identified location of the particular user than the seller database, the determination is based at least in part on the number of times the particular user has requested the product data within a specified period of time; and

initiating the migration of some or all of the product data requested by the particular user from the seller database to the storage location, determined for the particular user, that is located closer to the identified location of the particular user than the seller database.”

11. Claims 2, 4-16, 18, 20-32 are dependent upon independent claims 1, 17 and 33-34, thus they all have the limitations of independent claims 11, 16, and 25. Therefore, they are allowable for that same reason stated above.

Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to **Kambiz Abdi** whose telephone number is **(571) 272-6702**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Andrew Fischer** can be reached at **(571) 272-6779**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see;

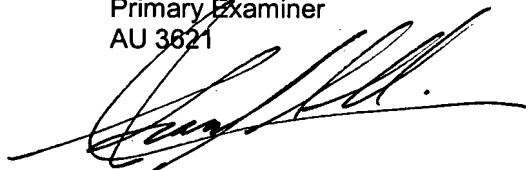
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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

Kambiz Abdi
Primary Examiner
AU 3621



May 29, 2007

**KAMBIZ ABDI
PRIMARY EXAMINER**